

IN RE: PETITION FOR RESIDENTIAL  
ZONING VARIANCE  
N/S Raspe Avenue 890 ft. E of  
c/l of Mannington Avenue  
4526 Raspe Avenue  
14th Election District  
6th Councilmanic District  
Charles B. Markel, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-2-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Charles B. Markel and Joanne P. Markel, his wife, for that property known as 4526 Raspe Avenue in the Belmar subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow a detached accessory structure (garage) to be located in a side yard in lieu of the required rear yard in a D.R.5.5 zone. The property and relief sought are more particularly described on Petitioners' Exh. No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING  
Date 8/1/96  
By M. Howard

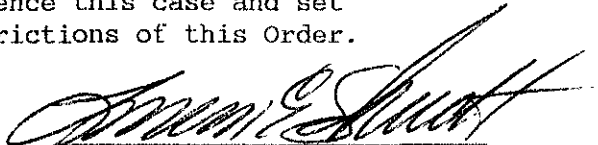
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of August 1996, that the Petition for a Residential Variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow a detached accessory structure (garage) to be located in a side yard in lieu of the required rear yard in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. The Petitioners shall not allow the garage to be used for any commercial purposes or to support any business operation.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mnw

ORDER RECEIVED FOR FILING  
8/1/96  
Date 8/1/96  
By Ch. Grant

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 31, 1996

Mr. and Mrs. Charles B. Markel  
4526 Raspe Avenue  
Baltimore, Maryland 21206

RE: Petition for Administrative Variance  
Case No. 97-2-A  
Property: 4526 Raspe Avenue

Dear Mr. and Mrs. Markel:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", written over a horizontal line.

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.

MICROFILMED



# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4526 RASPE AVE.

97-2-A

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 TO PERMIT A

GARAGE TO BE LOCATED IN A SIDE YARD IN LIEU  
OF REAR. REAR YARD. 2.5 FT. FROM THE SIDE STREET  
GARAGE WILL COMBINE LOTS 605 & 606 (CURRENTLY ONE DEED.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Size and shape of property;
2. Configuration of property; and
3. Side yard adjacent to Woodland Avenue (paper road).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

Legal Owner(s):

(Type or Print Name)

CHARLES B. MARKEL  
(Type or Print Name)

Signature

Charles B. Markel  
Signature

Address

JOANNE P. MARKEL  
(Type or Print Name)

City

State

Zipcode

Joanne P. Markel  
Signature

Attorney for Petitioner.

Francis X. Borgerding, Jr.

(Type or Print Name)

4526 RASPE AVE. NW.  
Address

BALTIMORE, MD. 21206  
City State Zipcode

Name, Address and phone number of representative to be contacted

409 Wash. Ave., Ste. 600 296-6820

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

Francis X. Borgerding, Jr.

Name

409 Wash. Ave., Ste. 600

296-6820

Address

Phone No.

Towson, Maryland 21204

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: SJA

DATE: 07-03-96

ESTIMATED POSTING DATE: 7-14

Printed with Soybean Ink  
on Recycled Paper

MICROFILMED 4

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 4526 RASPE AVE  
address  
BALTIMORE, MD. 21206  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The property is unique due to its size and shape. It is bounded by  
two streets. One a paper road (Woodland Avenue). Petitioners will  
suffer practical difficulty with regard to the utilization of their  
property if variance is denied. A relaxation of Section 400.1 BCZR  
will give the Petitioners substantial relief in that it will allow for  
the placement of a garage which is necessary for their utilization and  
enjoyment of their property which will not be adjacent to a neighboring  
household as side yard is adjacent to Woodland Avenue (paper road).

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Charles B. Markel  
(signature)  
Charles B. Markel  
(type or print name)



Joanne P. Markel  
(signature)  
Joanne P. Markel  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of June, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Charles B. Markel and Joanne P. Markel

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

June 11, 1996  
date

Beverly J. Kaufman  
NOTARY PUBLIC Beverly J. Kaufman

My Commission Expires: 3/1/00

*Paul Lee, P.E.*

*Paul Lee Engineering Inc.*

*304 W. Pennsylvania Ave.*

*Towson, Maryland 21204*

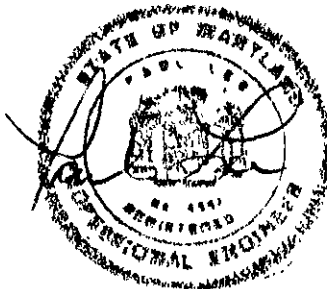
*410-821-5941*

97-2-A

Zoning Description for

#4526 Raspe Avenue, Baltimore County, Maryland

Beginning for the same at a point on the north side of Raspe Avenue (50' wide), said point also being located 690' <sup>±</sup> easterly from the center of Mannington Avenue (30' wide). Being Lots # 604, 605 & 606 in the subdivision of "BELMAR" as recorded in Baltimore County Plat Book W.P.C. 4 folio 104, containing 0.25 acres <sup>±</sup>. Also Known as #4526 Raspe Avenue and located in the 14 th Election District, 6th Councilmanic District.



5-22-96

MICROFILMED

*Engineers — Surveyors — Site Planners*

4.

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

97-2-A

District: 14th

Posted for: Variance

Date of Posting: 7/14/96

Petitioner: Charles & Joanne Marks

Location of property: 41526 Raspo Ave

Location of Sign: Facing roadway on property being zoned

Remarks:

Posted by: [Signature]  
Signature

Date of return: 7/19/96

Number of Signs: 1

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FIN. E-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 022601

DATE 7.7.96. ACCOUNT 97-2-A  
R-CCF-GISC

AMOUNT \$ 85.00

RECEIVED Charles? Bank, Md. RY  
FROM: 45 RE TRANS X Co. +  
CIC DES UN. (Adm.) 35  
CIC 4 SIG 35  
CIC 185

SIGN

FOR:

MICROFILMED 334113002601 CHRC \$85.00  
BA 0010148AM07-02-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CUSTOMER  
PINK - AGENCY  
YELLOW - CUSTOMER

SND. #4.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 4 Petitioner: CHARLES & JOANNE MARKEL  
Location: 4526 RASPE AVE.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Charles B. & Joanne P. Markel

ADDRESS: 4526 Raspe Avenue

Baltimore, MD 21206

PHONE NUMBER: c/o 296-6820

MICROFILMED

4.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

July 11, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-2-A (Item 4)  
4526 Raspe Avenue  
14th Election District - 6th Councilmanic  
Legal Owner(s): Charles B. Markel and Joanne P. Markel

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before July 14, 1996. The closing date (July 29, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon  
Director

cc: Charles and Joanne Markel  
Francis X. Borgerding, Jr.

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# PETITION PROBLEMS

## #3 --- JRA

1. No signature for contract purchaser.

## #4 --- JRA

1. No telephone number for legal owner.

July 8, 1996

MICROFILMED

97-2A

Please put in file. IF any  
questions please call Frank  
Bozending 296-6820

MICROFILMED


C.B. Markel  
4526 Raspe Avenue  
Baltimore, MD 21206

July 2, 1996

To Our Neighbors:


We are going to petition the Baltimore County Zoning Commission for a variance of the Baltimore County Zoning regulations, Section 400.1, to permit us to construct a garage in our side yard in lieu of the rear yard.

  
Charles Brian Markel

  
Joanne Markel

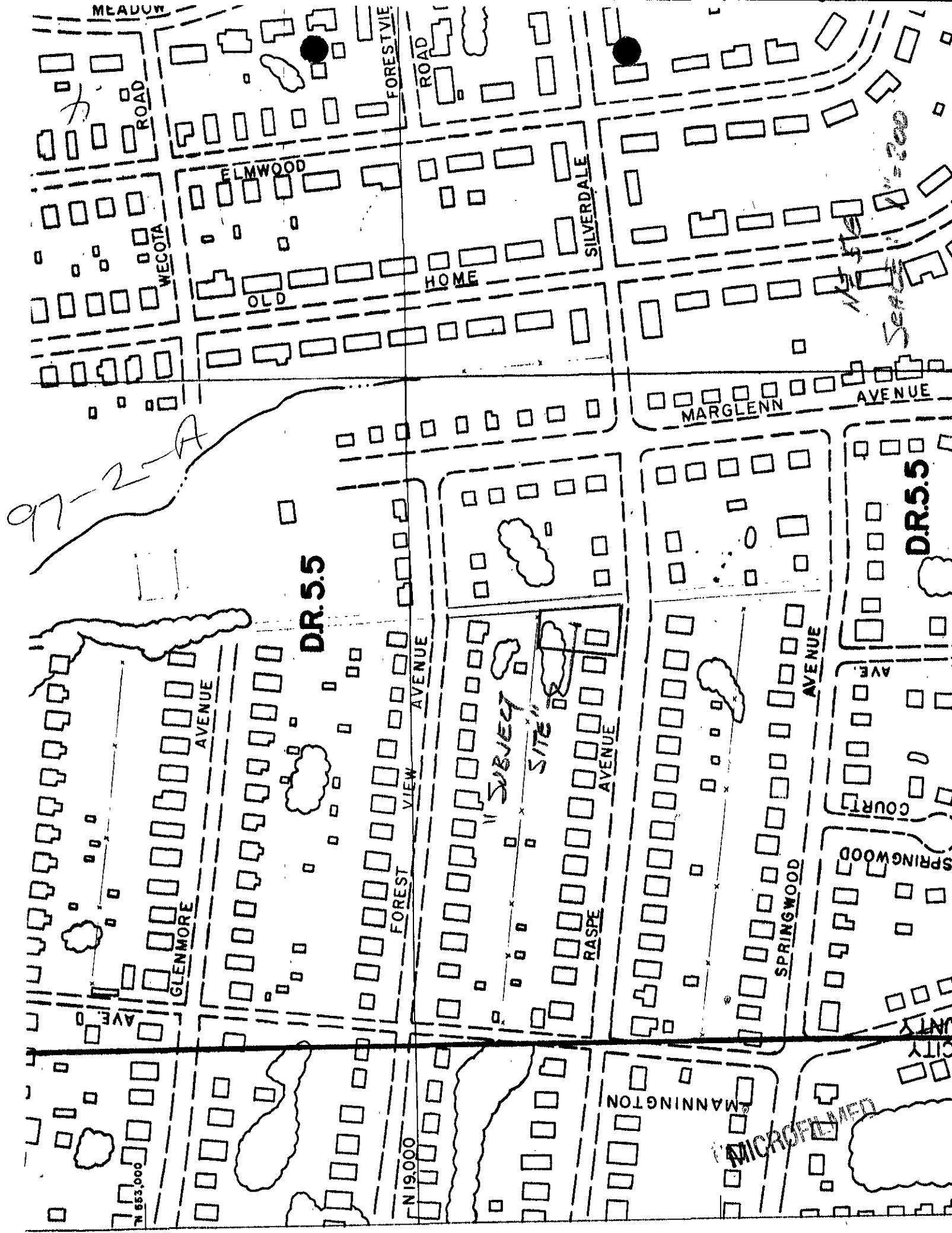
I, the undersigned, understand that the Markels are petitioning for a variance from Section 400.1 of the Baltimore County Zoning regulations to permit the construction of a garage in the side yard in lieu of the rear yard, and by my signature, I consent thereto.

7/7/96  
Date

  
Karen Wilson, Property Owner  
4524 Raspe Avenue

7-11-96  
Date

  
Richard Stecker, Property Owner  
4527 Forest View



97-2-A

DR.5.5

DR.5.5

MICROFILMED

MEADOW

ROAD

WECOTA

ELMWOOD

FORESTVIEW

ROAD

SILVERDALE

HOME

MARGLENN

AVENUE

AVENUE

GLENMORE

AVENUE

VIEW

FOREST

"SUBJECT SITE"

AVENUE

RASPE

AVENUE

SPRINGWOOD

SPRINGWOOD

COURT

MANNINGTON

1/4 MILE

Plat to accompany Petition for Zoning 

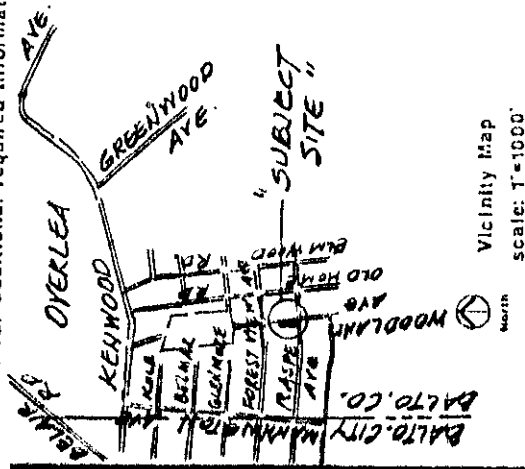
see pages 5 & 6 of the CHECKLIST for additional required information

10

OWNER: CHARLES D. JOHANN P. MARKEL

6348-31 (14-02-037175)

97.2-A



LOCATION INFORMATION

Election District: 14

**Councilman District: 6**

1"=200 scale map#: ME-5-E

Zoning: DR 5.5

Lot size: 0.25 11,060

acreage	square feet
100	43,560
200	87,120
300	130,680
400	174,240
500	217,800
600	261,360
700	304,920
800	348,480
900	392,040
1,000	435,600
1,100	479,160
1,200	522,720
1,300	566,280
1,400	609,840
1,500	653,400
1,600	696,960
1,700	740,520
1,800	784,080
1,900	827,640
2,000	871,200
2,100	914,760
2,200	958,320
2,300	1,001,880
2,400	1,045,440
2,500	1,089,000
2,600	1,132,560
2,700	1,176,120
2,800	1,219,680
2,900	1,263,240
3,000	1,306,800
3,100	1,350,360
3,200	1,393,920
3,300	1,437,480
3,400	1,481,040
3,500	1,524,600
3,600	1,568,160
3,700	1,611,720
3,800	1,655,280
3,900	1,698,840
4,000	1,742,400
4,100	1,785,960
4,200	1,829,520
4,300	1,873,080
4,400	1,916,640
4,500	1,960,200
4,600	2,003,760
4,700	2,047,320
4,800	2,090,880
4,900	2,134,440
5,000	2,178,000
5,100	2,221,560
5,200	2,265,120
5,300	2,308,680
5,400	2,352,240
5,500	2,395,800
5,600	2,439,360
5,700	2,482,920
5,800	2,526,480
5,900	2,570,040
6,000	2,613,600
6,100	2,657,160
6,200	2,700,720
6,300	2,744,280
6,400	2,787,840
6,500	2,831,400
6,600	2,874,960
6,700	2,918,520
6,800	2,962,080
6,900	3,005,640
7,000	3,049,200
7,100	3,092,760
7,200	3,136,320
7,300	3,179,880
7,400	3,223,440
7,500	3,267,000
7,600	3,310,560
7,700	3,354,120
7,800	3,397,680
7,900	3,441,240
8,000	3,484,800
8,100	3,528,360
8,200	3,571,920
8,300	3,615,480
8,400	3,659,040
8,500	3,702,600
8,600	3,746,160
8,700	3,789,720
8,800	3,833,280
8,900	3,876,840
9,000	3,920,400
9,100	3,963,960
9,200	4,007,520
9,300	4,051,080
9,400	4,094,640
9,500	4,138,200
9,600	4,181,760
9,700	4,225,320
9,800	4,268,880
9,900	4,312,440
10,000	4,356,000

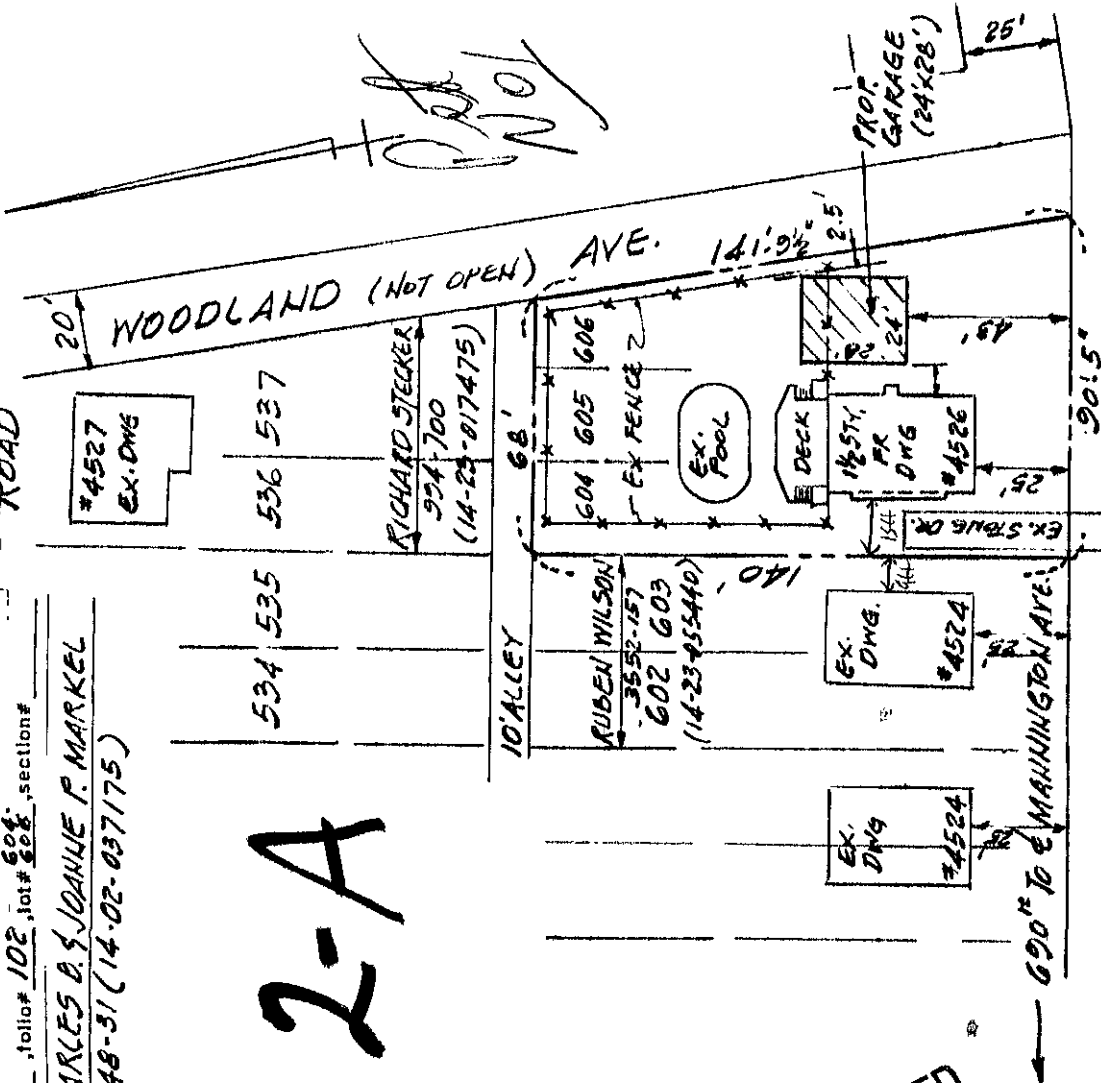
Chesapeake Bay Critical Area:

**Prior Zoning Hearings:** 11/01/15

**Zoning Office USE ONLY!**

reviewed by: ITEM #: CASE#:

5



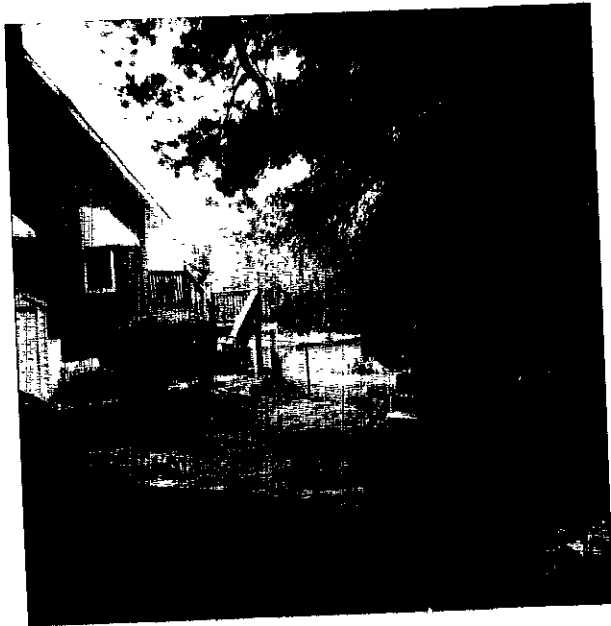
**MICROFILMED**

North

date: 5-2-96

prepared by: PAUL LEE ENGR., INC.

Scale of Drawing:  $1" = 50'$



① View - side yard

4



② side yard

4



③ side yard

4



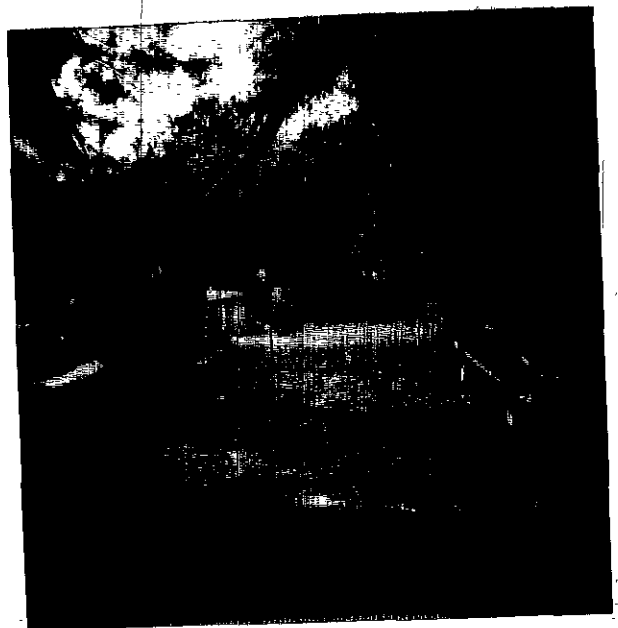
④ across looking at side yard

4



① View - side yard

4



② side yard

4



③ side yard

4



④ across looking at side yard

4



⑤ other side yard

4



⑥ pool in back yard

4

scriber a Notary Public of the State of Maryland in and for the City aforesaid personally appeared Mary L Busey and Ida Grace Parrish and each acknowledged the foregoing instrument to be her act and deed

Witness my hand and Notarial Seal

Eben F Perkins 3rd

Notary Public

(Notarial Seal)

Recorded July 2nd 1929 at 2 P M and Exd per Louis McL Merryman - Clerk

No 3323

John R Haut and wife

Deed To

Albert Milke and wife

)

)

)

)

This Deed made this 1st day of July in the year nineteen hundred and twenty-nine by John R Haut and Grace E Haut his wife of Baltimore County in the State of Maryland parties of the first part Grantors and Albert Milke and Marie E Milke

his wife of said County and State aforesaid parties of the second part Grantees

Witnesseth that in consideration of the sum of Five Dollars and other good and valuable consideration the receipt whereof is hereby acknowledged the said John R Haut and Grace E Haut his wife do grant and convey unto the said Albert Milke and Marie E Milke his wife their heirs and assigns in fee simple as tenants by the entireties all that piece or parcel of land situate lying and being in the Fifteenth Election District of Baltimore County and described as follows to wit

Beginning for the same at a point where the westernmost outline of Lot No 15 Block D Section A of Essex as shown on a plat filed among the Plat Records of Baltimore County in Plat Book W P C No 3 Folio 15 &c intersects the north side of Eastern Avenue eighty feet wide said point of beginning being one hundred feet distant measured westerly along the north side of Eastern Avenue from the intersection formed by the West side of Woodward Drive with the north side of Eastern Avenue and running thence northerly binding on the division line between lots Nos 14 and 15 Block D Section A on said Plat one hundred and forty-five feet to the south side of an alley ten feet wide as shown on plat aforesaid thence running easterly binding on the south side of said alley ten feet thence running for line of division southerly parallel to and ten feet distant from the first mentioned line one hundred and forty-five feet to the north side of Eastern Avenue thence running with and binding on the north side of said avenue westerly ten feet to the place of beginning

The above description comprises the westernmost ten feet of Lot No 15 Block D Section A of Essex on plat filed as aforesaid

Being part of that parcel of land which by Deed dated April 6, 1921 and recorded among the Land Records of Baltimore County in Liber W P C No 539 Folio 400 was conveyed by Parker King et al to John R Haut and wife

Together with the buildings and improvements thereupon erected made or being and all and every the rights alleys ways waters privileges appurtenances and advantages to the same belonging or in anywise appertaining

To Have and to Hold said parcel of ground and premises above described and mentioned and hereby intended to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Albert Milke and Marie E Milke his wife their heirs and assigns in fee simple as tenants by the entireties

And the said Grantors hereby covenant that they will warrant specially the property

4  
97-2-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	OVERLEA	N.E.
JANUARY 1986	MICROFILMED	5-E

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE N/S Raspe Avenue 890 ft. E of c/l of Mannington Avenue 4526 Raspe Avenue 14th Election District 6th Councilmanic District Charles B. Markel, et ux Petitioners

\* BEFORE THE \* ZONING COMMISSIONER \* OF BALTIMORE COUNTY \* Case No. 97-2-A \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Charles B. Markel and Joanne P. Markel, his wife, for that property known as 4526 Raspe Avenue in the Belmar subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow a detached accessory structure (garage) to be located in a side yard in lieu of the required rear yard in a D.R.5.5 zone. The property and relief sought are more particularly described on Petitioners' Exh. No. 1, the plat to accompany the Petition.

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Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of August 1996, that the Petition for a Residential Variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow a detached accessory structure (garage) to be located in a side yard in lieu of the required rear yard in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. The Petitioners shall not allow the garage to be used for any commercial purposes or to support any business operation.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 31, 1996

Mr. and Mrs. Charles B. Markel  
4526 Raspe Avenue  
Baltimore, Maryland 21206

RE: Petition for Administrative Variance  
Case No. 97-2-A  
Property: 4526 Raspe Avenue

Dear Mr. and Mrs. Markel:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.

Printed with Soybean Ink  
on Recycled Paper



## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4526 RASPE AVE.  
which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 TO PERMIT A

GARAGE TO BE LOCATED IN A SIDE YARD IN LIEU  
OF REAR YARD, REAR YARD 2.5 FT. FROM THE SIDE STREET  
IN RASPE AVE. SUBDIVISION, LOTS 604, 605, 606 (COMMONLY KNOWN AS DEEP)  
practical difficulty

1. Size and shape of property;
2. Configuration of property; and
3. Side yard adjacent to Woodland Avenue (paper road).

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

CHARLES B. MARKEL  
(Type or Print Name)

Signature

JOANNE P. MARKEL  
(Type or Print Name)

Signature

City State Zipcode

Attorney for Petitioner:

Francis X. Borgarding, Jr.  
(Type or Print Name)

Signature

Address

409 Wash. Ave., Ste. 600 296-6820  
TOWSON MD 21204

City State Zipcode

Address

409 Wash. Ave., Ste. 600 296-6820  
Towson, Maryland 21204

City State Zipcode

A Public Hearing having been requested and/or held as required, it is ordered by the Zoning Commission of Baltimore County, Inc., that the subject matter of this petition be set for a public hearing, to be held on the date and at the place specified in the attached Order, and that the property be posted and advertised as prescribed by the Zoning Regulations of Baltimore County, and that the property be posted and advertised as prescribed by the Zoning Regulations of Baltimore County.

Revised by: SPH Date: 7-23-96 Printed with Soybean Ink on Recycled Paper

ITEM #: 4

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalty of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) agree to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 4526 RASPE AVE

BALTIMORE, MD 21206

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: produce variance or practical difficulty

The property is unique due to its size and shape. It is bounded by two streets. One a paper road (Woodland Avenue). Petitioners will

suffer practical difficulty with regard to the utilization of their

property if variance is denied. A relaxation of Section 400.1 BCZR

will give the Petitioners substantial relief in that it will allow for

the placement of a garage which is necessary for their utilization and

enjoyment of their property which will not be adjacent to a neighboring

household as side yard is adjacent to Woodland Avenue (paper road).

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Charles B. Markel

Joanne P. Markel

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 11th day of June, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Charles B. Markel and Joanne P. Markel

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

June 11, 1996

Notary Public

My Commission Expires 3/1/00

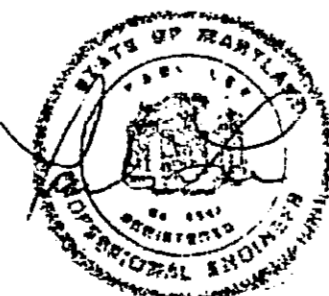
Paul Lee P.C.

Paul Lee Engineering Inc.  
302 W. Pennsylvania Ave.  
Towson, Maryland 21204  
410-881-5361

#### Zoning Description for

#4526 Raspe Avenue, Baltimore County, Maryland

Beginning for the same at a point on the north side of Raspe Avenue (50' wide), said point also being located 690' ± easterly from the center of Mannington Avenue (30' wide). Being Lots # 604, 605 & 606 in the subdivision of "BELMAR" as recorded in Baltimore County Plat Book W.P.C. 4 folio 104, containing 0.25 acres ±. Also Known as #4526 Raspe Avenue and located in the 14 th Election District, 6th Councilmanic District.



5-22-96

Engineers - Surveyors - Site Planners

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14th Date of Posting: 7/11/96

Posted for: Variance

Petitioner: Charles B. Markel

Location of property: 4526 Raspe Ave.

Location of Sign: Being located on property being posted

Remarks:

Posted by: Markel Date of return: 7/11/96

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
OFFICE OF REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 022881  
97-2-A  
R-CCIGISC

DATE 7-7-96 ACCOUNT

AMOUNT \$ 55.00

RECEIVED FROM: CHARLES & JOANNE MARKEL  
4526 RASPE AVE.  
606 RES. LAR. (ADJ. 150  
616 & SIGN  
185

FOR: TOTAL

034-18002001, CHRG. \$85.00  
BA 001048AND7-02-96

VALIDATION OR SIGNATURE OF CASHIER  
SND. #4



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 4 Petitioner: CHARLES & JOANNE MARKEL

Location: 4526 RASPE AVE.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Charles B. & Joanne P. Markel

ADDRESS: 4526 Raspe Avenue

Baltimore, MD 21206

PHONE NUMBER: c/o 296-6820

Printed with Soybean Ink



Baltimore County  
County Office Building  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

July 11, 1996

**NOTICE OF CASE NUMBER ASSIGNMENT**

Re: CASE NUMBER: 97-2-A (Item 4)  
4526 Raspe Avenue  
14th Election District - 6th Councilmanic  
Legal Owner(s): Charles B. Markel and Joanne P. Markel

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3331. This notice also serves as a retriever regarding the administrative process.

1) Your property will be posted on or before July 14, 1996. The closing date (July 29, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Charles and Joanne Markel  
Francis L. Bourgerding, Jr.

MICROFILMED

**PETITION PROBLEMS**

**#3 --- JRA**

1. No signature for contract purchaser.

**#4 --- JRA**

1. No telephone number for legal owner.

July 8, 1996

MICROFILMED

C.B. Markel  
4526 Raspe Avenue  
Baltimore, MD 21206

July 2, 1996

**To Our Neighbors:**

We are going to petition the Baltimore County Zoning Commission for a variance of the Baltimore County Zoning regulations, Section 400.1, to permit us to construct a garage in our side yard in lieu of the rear yard.

*Charles B. Markel*  
Charles Brian Markel

*Joanne Markel*  
Joanne Markel

I, the undersigned, understand that the Markels are petitioning for a variance from Section 400.1 of the Baltimore County Zoning regulations to permit the construction of a garage in the side yard in lieu of the rear yard, and by my signature, I consent thereto.

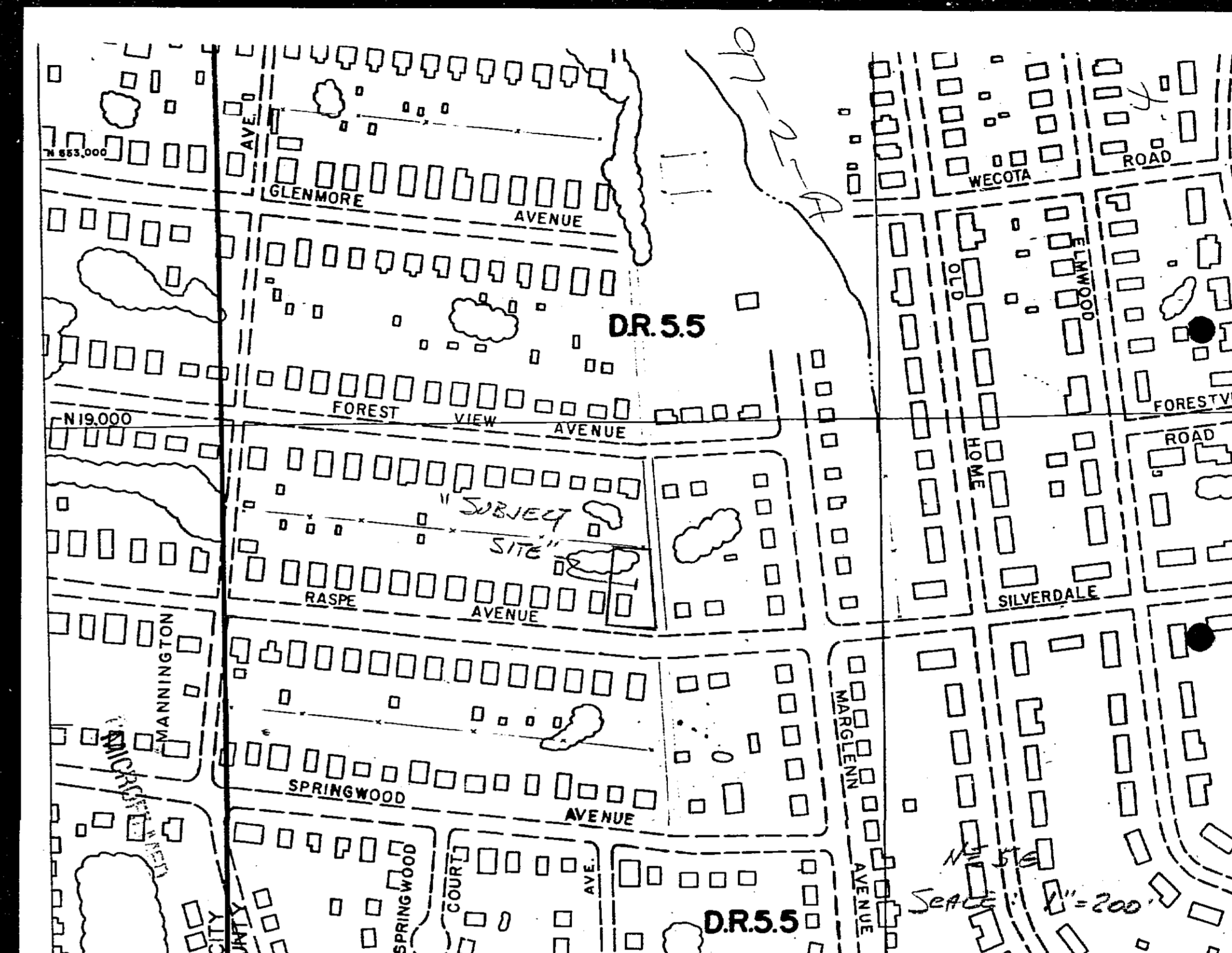
*7/2/96*  
Date

*Karen Wilson*  
Karen Wilson, Property Owner  
4524 Raspe Avenue

*7-11-96*  
Date

*Richard Y. Stecker*  
Richard Y. Stecker, Property Owner  
4527 Forest View

97-2A  
Please get in file. IF any  
questions please call Frank  
Bourgerding 296-6836



**Plat to accompany Petition for Zoning Variance Special Hearing**

PROPERTY ADDRESS: 4526 RASPE AVENUE

Subdivision name: BELMAR

Plot book: 102, lot 102, section 1

OWNER: CHARLES B. & JOANNE P. MARKEL  
6348-31 (14-02-037175)

**97-2-A**

534 535 536 537

WOODMONT AVE

FOREST VIEW ROAD

10' ALLEY

630' TO MANNINGTON AVE

RASPE AVENUE (60' R/W)

Scale of Drawing: 1" = 50'

Prepared by: PAUL LEE ENGR, INC.

**LOCATION INFORMATION**

Election District: 14

Councilmanic District: 6

1"=200' scale map: NE-5-B

Zoning: DR-5.5

Lot size: 0.25 11,060 sq. ft.

SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings: NONE

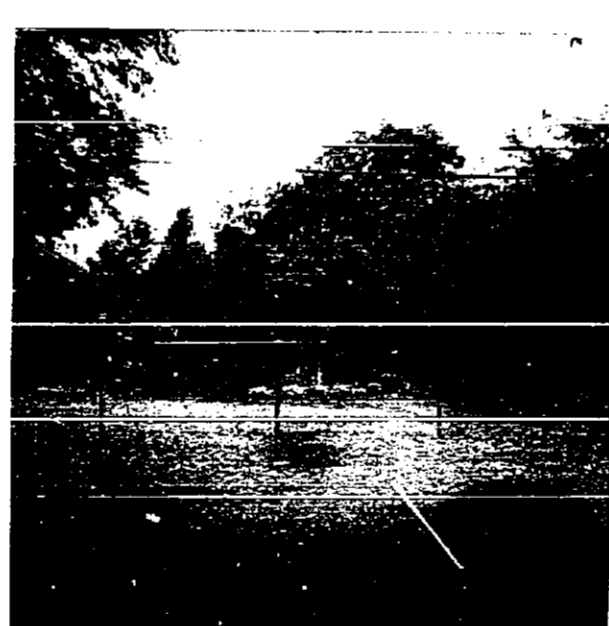
**Zoning Office USE ONLY!**

reviewed by: ITEM # CASE #

537 4



① pool back yard



② view of back yard



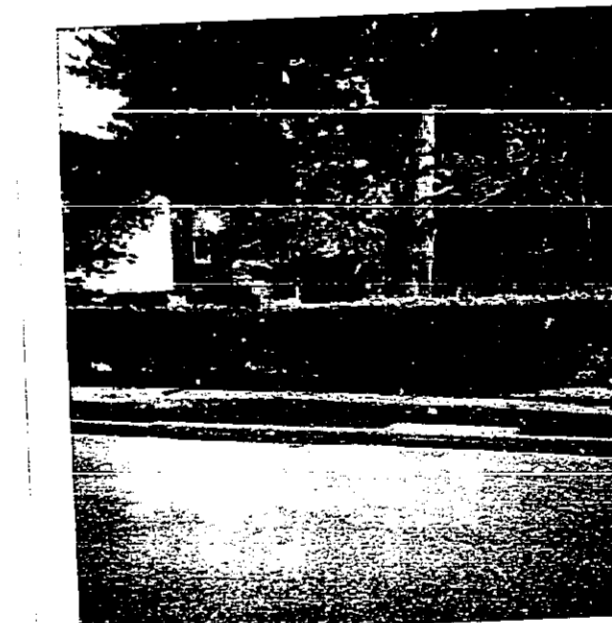
③ view - side yard



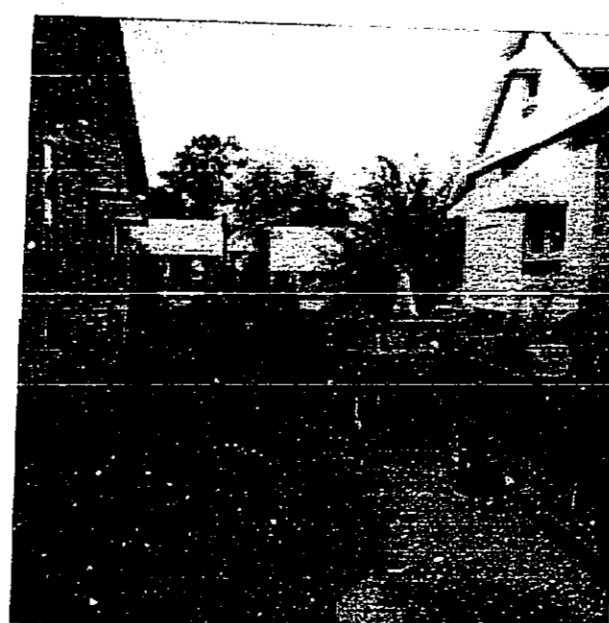
④ side yard



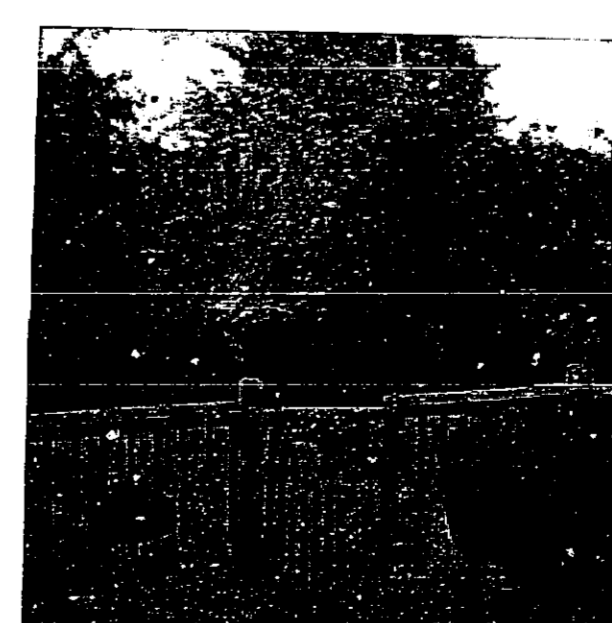
⑤ side yard



⑥ side yard view



⑦ other side yard



⑧ pool in back yard

MICROFILMED

97-2-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE  
1" = 200' ±

DATE OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
# 4526 RASPE AVE.  
OVERLEA

SHEET  
N.E.  
5-E